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Roxane Laboratories, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JAZZ PHARMACEUTICALS, INC.,

Plaintiff,

v.

ROXANE LABORATORIES, INC.,

Defendant.

Civil Action No. 11-660 (SDW)(MCA)

Hon. Susan D Wigenton, U.S.D.J.

Hon. Madeline C. Arleo, U.S.M.J.

**JOINT REQUEST AND ORDER
FOR CONSOLIDATION WITH
CIVIL ACTION No. 10-6108 ✓**

(Filed Electronically)

WHEREAS, Plaintiff Jazz Pharmaceuticals, Inc. ("Jazz Pharmaceuticals") initiated this action, Civil Action No. 11-660 (SDW)(MCA), alleging infringement of United States Patent Nos. 7,851,506 and 6,472,431 by Defendant Roxane Laboratories, Inc.'s ("Roxane") submission of Abbreviated New Drug Application No. 202-090 to the U.S. Food and Drug Administration for approval to market a 500 mg/ml sodium oxybate oral solution;

WHEREAS, this cause of action is substantially similar to the litigation initiated by Jazz Pharmaceuticals captioned *Jazz Pharmaceuticals, Inc. v. Roxane Laboratories, Inc.*, Civil Action No. 10-6108 (SDW)(MCA), which is also before this Court and concerns United States Patent Nos. 6,780,889, 7,262,219, 7,668,730, 7,765,106, and 7,765,107;

WHEREAS, the parties in this action and Civil Action No. 10-6108 are the same, and the parties have agreed to the consolidation of these actions;

WHEREAS, good cause exists to consolidate this action with Civil Action No. 10-6108;

WHEREFORE, Jazz Pharmaceuticals and Roxane, by their attorneys, respectfully request that this Court consolidate this action, Civil Action No. 11-660, with Civil Action No. 10-6108 and that all of the papers be maintained in Civil Action No. 10-6108.

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Dated: April 5, 2011

Respectfully submitted,

By: s/ Charles M. Lizza

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SO ORDERED:



HONORABLE MADELINE C. ARLEO
UNITED STATES MAGISTRATE JUDGE

Dated: 6 April 11